

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**Varsity Brands, Inc., Varsity
Spirit Corporation, and Varsity
Spirit Fashions & Supplies, Inc.,**

Plaintiffs,

v.

No.: 2:10-cv-02508-RHC-cgc

Star Athletica, LLC

Defendant.

ORDER DENYING PLAINTIFFS' FIRST MOTION TO COMPEL

Before the Court is Plaintiffs Varsity Brands, Inc., Varsity Spirit Corporation, and Varsity Spirit Fashions & Supplies, Inc.'s (collectively, "Varsity") First Motion to Compel.

At the Hearing on this Motion on March 28, 2012, the parties resolved the issues addressed in this Motion. Specifically, in order to resolve the Motion, Varsity requested and Star Athletica, LLC ("Star") agrees to make the following representations to the Court with regard to the discovery responses sought to be compelled in Varsity's First Motion to Compel: (1) Star represents to the Court that none of its documents are being withheld from Varsity based on the parties' disagreement over the subject matter of Varsity's copyrighted designs at issue; (2) Star represents on the record that Star Athletica, LLC does not have any bylaws; (3) Star represents to the Court that all of its

emails, documents, and correspondences regarding the design and operation of Star's website (<http://www.starathletica.com>) have been produced to Varsity; and (4) Star represents to the Court that it has not withheld production of minutes of Star's meetings of Star's members, shareholders, managers, directors, officers, employees, or sales representatives.

Because the parties have resolved Plaintiff's First Motion to Compel as a result of the above representations made by Star, the Court finds that the Motion is moot and therefore DENIES the Motion at this time.

IT IS SO ORDERED this 24th day of April, 2012.

s/ Charmiane G. Claxton
CHARMIANE G. CLAXTON
UNITED STATES MAGISTRATE JUDGE